

CACCC Meeting Report

February 10 -11, 2004

Mitchell, Indiana

Attendees:

Council members: Chuck Bauer, Paula Yeager, Pete Hanebutt (1st day), Frank Keeton, David Dimmich, Doug Metcalf, Doug Allman, Glenn Lange, Brad Thurston, Gene Hopkins; Facilitator: Tom Wasson; Recorder: Jeanne Odaffer, Secretary: Debbie Bray

Guests: 50-60 members of the public attended various portions of the meeting.

Meeting Agenda Topics:

1. Housekeeping & Meeting Logistics
2. Review/Approval of January Meeting Report
3. Resolving Issues
4. Public Input – Morning (1st & 2nd days) Afternoon (1st day)
5. Resolving Issues (Finalize Position on all draft issues)
6. Planning March Public Input Meetings
7. What Next?

1. HOUSE KEEPING AND MEETING LOGISTICS

- Reviewed meeting and meals arrangement for meeting
- Computer and printer will be available to make changes in documents. This will allow council members to see final drafts before leaving the meeting.

2. REVIEW /APPROVAL OF JANUARY MEETING REPORT

Reviewed January meeting report:

- Correction on Page 5 - to say “8 ft for other cervids and specified...” & comment by Frank Kenton
- Council voted to accept report with changes

Situations outside Council: Conversation

Col. Jeff Wells was invited to address the Council regarding Law Enforcement investigation ref. Bellar's

- Col. Wells commented that contacting Council members is out of ordinary and was prompted by respect for the Council and it's work.
- Col. Wells remarked that law enforcement can not suspend enforcement. Law enforcement is 24 hours a day 7 days a week work. Also officers cannot control time factors or violators actions.
- Generally speaking, cannot control when criminals to criminal activities

Council's Response to Col. Wells statements were:

- We need to make sure “we” don’t make an issue out of it ourselves.
- Investigation on going and agencies are not discussing it at this time.
- Industry – As an Industry we support our Industry but do not support violation of laws.

3. RESOLVING ISSUES

The council reviewed the drafts of the previously developed issues for finally approval.

Rehabilitation of White tail deer

- Conversation to have less than 180 days.
- Add to first bullet “or be euthanized”

Cervids at Pets

- ***: NO CHANGES Council agrees to adopt.
- Not “economic gain” to give back cervid or sell back.

*** **ADD TO REGULATORY: Council Agreed**
PROPOSED CHANGES to GAMBREEDERS PERMIT
- “Must obtain appropriate permit before acquiring animal”

Regulatory Functions of DNR & BOAH

- Discussion of “Consult and approve”, new item from last meeting
 - *****BOAH will not agree on any change to BOAH statute or Rule to consult or concur with any other State agency.**
 - Suggested to keep at MOU
 - Interchange rests upon personal interchange
 - ***Suggested to add Statement that “ when the DNR – BOAH have a mutual concern, they would need to consult”.
 - *** **CACCC Recommends that BOAH and DNR consult with one another on disease issues affecting animals species covered by IC 14-22. (All Council Agreed)**
- Conversation regarding “defining deer”
 - Must define “deer”
 - White tailed deer considered same behind fence or wild in Indiana.
 - If we define roles/responsibilities, no need to define deer
 - Want to change Indiana Statue.
 - Supposed to deal with deer behind fence that is our charge
 - Domesticated deer in BOAH Code, statute to deal with Disease issues regardless of whose animals they are. Focus on health, meat inspection issues.
 - Free range, captive (enclosed in facility), private owned – Does definition change how managed?
 - The way we have written, so far, serves both/all contingencies in deer issues – Regulatory wise.
 - Frank does not see why we can’t identify 3 groups

- Chuck does not want to, see's confusion –Should say “white-tailed” deer and does not serve purpose. Sees no need to define.
- Regulatory – covers all type of deer.
- Health Issue – cannot feed ruminant protein products to ruminants – this is a FEDERAL LAW.
- “Animal husbandry” refers to game-breeders permit

***** Regulatory Statement Approved with additions**

1. “Must obtain appropriate permit before acquiring animal”
2. CACCC recommends that BOAH and DNR consult with one another on disease issues affecting animal species covered by IC 14-22.

Just before lunch Pete Hanebutt handed out to each council member the following position statement from Farm Bureau regarding Captive Cervids.

Adopted by the Indiana Farm Bureau, Inc., Board of Directors, January 30, 2004

“Farm Bureau believes that Indiana farmers should have the opportunity to raise cervidae as an agricultural commodity regardless of the purpose for which it is raised. Captive cervidae should be regarded as domestic livestock, and as such, should be subject to regulation by the State Board of Animal Health. The State Board of Animal Health should promulgate rules – including rules with respect to the identification, transportation, and importation of cervidae into Indiana- to protect the health and well-being of the state's domestic and native cervidae populations as well as other livestock in the state that could be subject to cervidae borne diseases.”

4. PUBLIC INPUT: 11:50 AM 2-10-04

- Richard McIlvane: U.S. Sportsman. Does not agree, fenced hunts are bad. Animals rights groups are “terrorists”
- Carrie Sutton: No “Fair chase”, animals don't have safe haven. Animal rights look out for humans as well as animals.
- Jerry Baker: Thanks council for work.

Lunch

3. RESOLVING ISSUES - continued

Cervid Fencing Regulations

Reviewed of the draft statement

To “New Fence” requirements 2-8ft. fences not less than 10 ft. or larger than 30 ft. from first fence.

- Does not want to put “time” or “type” restriction on fencing
- Concerned about existing “substandard” fencing on facilities.

- Fencing required for future operations should meet set standards. Present facilities should not be burdened with financial cost.
- Language must be “specific” when rule is written/per Col Jeff Wells
- ***Existing Fence: if replace more than 50 ft. of fencing it must be the existing fencing standards.
- Under “d” ii change on #2 to 30 ft from 25 ft
- Eliminate i under “d”
- Concerned about streams, creeks, rivers fencing under these circumstance and set back because of tree falling.
- Need some sort of language to deal with gates, streams, and creeks.
- Set back could cause erosion, compliance on both “sides” of fence.
- Under “new fence construction” require 50 ft. setback on both sides.
- No right answer for every piece of property.
- If grade of land is steep enough could we set fence higher.
- Officer will have discretion in regulation fencing of facilities.
- Under #5 – “effective height” of 10 ft.
- *** **“Effective Height” detailed writing up to DNR and Enforcement to define in Rules. Need to be specific about all areas of fencing.**
- Don’t be too tightly defined
- Make sure all loop holes are closed
- Changes from outline:
 1. New Fencing #2 two 8 ft. fences,
 2. #5 effective height. Discussion points drop off.

Hunting Behind Fences

The information developed by Doug M. was not available, so it was decided to use the straw man proposed by DNR. The standards were listed on the flip chart paper and posted. Each council member was asked to record his or her value for each item. The Council members views are as follows:

1. Facility must be a minimum of 640 acres in size

Comments:	160acres	
	40 acres	
	40 acres	
	40 acres	Average: 415
	400 acres	
	None	
	1000 acres	
	1000 acres	
2. Habitat in Hunting Areas:

Comments:	40% coverage	
	33% coverage	
	40% coverage	
	40% coverage	Average 37%
	40% forest	
	33% cover	
	33% escape cover	

3. Artificial Feeding:	40% cover	
	Comments:	
	Continuous	
	Continuous	
	Continuous	
	Greater than 30 days	
	Greater than 30 days	Average 22 days
	Remove in 30 days or more	
4. Animals must be released...	Remove in 60 days	
	Remove in 30 days	
	Comments:	
	2 days	
	2 days	
	2 days	25 Average
	30 days	
	greater than 30 days	
5. Hunting areas must be minimum.	45 days	
	60 days	
	Comments:	
	40 acres	
	40 acres	
	320 acres	
	1000 acres	
	160 acres	342 Average
6. No stands within 100 yards...	40 acres	
	No acreage	
	500 acres	
	640 acres	
	Comments:	
	-0- yards	
	40 yards	
	40 yards	
6. Hunter Density:	100 yards	33 yds. Average
	40 yards	
	40 yards	
	40 yards	
	Comments:	
	40 acres/hunter/day	
	40 acres/hunter/day	
	40 acres/hunter/day	
7. Maximum Deer Density...	40 acres/hunter/day	31 acres Average
	20 acres/hunter/day	
	20 acres/hunter/day	
	20 acres/hunter/day	
	Comments:	
	No limit	
	No limit	
	No limit	
	No limit	

10 per 100 acres
10
90

8. Regular Statewide hunting Season...

Comments:

Per DNR
Per DNR
Different than outside fence
Different
Yes
Yes
Yes

9. Hunters must purchase special license...

Comments:

Transport tag only
Per DNR
Transport tag only
Transport tag only
Yes
Yes
Yes
Yes

10. Non-licensed individuals and facilities personnel ...

Comments

No limit
No driving or herding deer
No limit
No driving
As proposed by DNR
No limit
No Participation
1 guide 1 camera

Discussion on Proposed Straw man:

#2 Habitat

- a. Escape cover as applies to deer 40%.
- b. Elk should be different. Different types of cover for different animals

#6 No Stands ...

- a. Could be in violation un-wittingly if too close to perimeter fence.
- b. Suggest "No deer stands" within 100 yards of fence
- c. Should be sitting with back to fence shooting toward interior
- d. **No stands within 40 yards of perimeter *****

#7 Density (Hunters)

- a. 40 acres per hunter
- b. 20 acres per hunter
- c. Prefer higher number of acres/hunter
- d. Needs to be some number
- e. If 2 people in tree stand, should have only 1 shooter.
- f. Compromise at 30 average is 31 in survey

#4 Animals must be released in hunting areas at least 30 days prior to hunting season

- a. How do you know how long an individual deer is in there?

- b. Someone with hunter at all times?
- c. Does not take long for deer to acclimate to released area
- d. Where will deer come from? Small area, holding pen
- e. Animals need time to acclimate “30 days” and deer density get smaller.
- f. Deer Density and Release time important
- g. Acclimation time should mimic wild deer.
- h. If raise Elk/Deer for his whole life, instincts are dulled.
- i. Instincts kick back in. Between 24-48 hrs deer acclimate to surroundings.
- j. 30 days too long to plan on density – none.
- k. Disagrees with “too long to plan” Research shows websites (facilities) are planning ahead.
- l. Seems planning is already happening.
- m. Can’t dictate success of clientele. Client may not want what you have left.
- n. Depends on how directed to a particular animal farm is.
- o. Will go to 20 days with increased density.
- p. On large hunting areas 3 days were enough to acclimate.
- q. Industry needs to decide if wants to make it sporting, with a semblance of fair chase or we won’t be able to come to agreement.
- r. All opinions are from “industry” we have no science based opinions
- s. Could not find science-based research for this type of facility on acclimation.
- t. Need to discuss size first because most important issue.
- u. 30% Safarri Club opposed high fenced hunting. 80% believe they right to choose fenced hunting. 90% concurred if well run facility.
- v. Public opinion polls opposed to high fence hunting. Safari Club already endorses high fenced hunting already
- w. 20 – mostly 45 days discussed
- x. All animals would be in compound prior to hunting at that facility

#7 Density Animals

- a. 3 animals per acre with Elk. If supplemental feeding can have more animals
- b. 15 was trying to approximate the wild
- c. square mile is 640 acres
- d. People are trying to do this successfully. Should have 2 separate areas 1- hunting, 2- Breeding. If deer density is too high in hunting area not good. Density an economic call.
- e. If hunter success goes above 20% not like hunting in wild and does not approximate what happens in wild. Not hunting business, it’s a shooting business.
- f. 1 or 2 per acre??
- g. 2 per acre is 1300 per square mile.
- h. Creating hunting success is not like wild.
- i. Have to use “unnatural” ways to create hunter success.
- j. Why is using dogs hunting and deer not – because wild can get away.
- k. In wild can have high density and get animal in wild.

4. PUBLIC INPUT: 4:15 PM

- Richard McIlvane: Size of facility 1. discriminatory expensive to buy land. 2. All types of habitat deer can live on. 3. No hunting close to fence if close to inhabited area.
- Ken McIntock: if in business must be competitive. Must consider this. 10% of hunters win 90% of time.
- Chuck Loftsedale: More deer per acre than 20%. Fair chase use bow challenge is getting close.
- Leslie Kleinfelder: Not approximate to wild – (private). Industry needs to have leeway to supply demand.
- Chad Rakers: Thinks hunting in fence does not need to be like hunting in wild.
- Cliff ---: Deer Elk farmer need to get together to do this (fence hunting). DNR can make money, why can't private concerns.

3. RESOLVING ISSUES – continued

#7 Deer Density – continued

- l. Separate times for hunting only 30 days each. October, December and February. Seasons not same. Issues with that. Extremely complicated
 - m. Extended season with choice of weapons up to hunter
 - n. Ok with 20 days
 - o. At will
 - p. Council asked questions of Rodney Maurice, Rick Davis, and Chuck Bellar to gain information about management on facilities
 - q. Stock deer 30 days prior to Season?
Answers R. Maurice 150 acres – difficult for 30 days with no supplemental feeding. R. Davis – Elk Ranch 135 acres no take less than 5 years. He has fallow deer. Says he provides a convenience and entertainment. Supplemental feeds white –tailed deer. C. Bellar – in past would hurt them. Now have enough of own stock to do it how. Not enough food to sustain.
 - r. People hunt behind fence because they want to see something different.
 - s. Want 20 days before season and carrying capacity. Two (2) types of animal populations 1) self- reproducing self-sustaining. And 2) stock animals prior to season.
 - t. A) Biologically speaking self- reproducing better. B) Areas should be called **“Shooting Preserves”** Not hunting preserves. ***
- Not happy with trucking
 - Testing not accurate early enough
 - Testing mortality is too late
 - All deer prior to season
 - Need to address Acreage, supplemental feeding first.

- #5 Hunting Area Size:
- a. Stays the same as is now
 - b. No hunting behind fence
 - c. Need mechanism to get out of business: abandon, let animals go, slaughter
 - d. 500 acres min (my organization will only accept)
 - e. After 2004, 500 A. with 120 acre or more grandfather. Organization MAY agree.
 - f. Feeders not fair chase
 - g. How many farms less than 500? Answer around a dozen
 - h. League May agree at 500 with grandfather.
 - i. Social and Biological hurdles. Biological – No interstate transport because of disease.
 - j. State and herd surveillance with do disease for 5 years
 - k. Grandfather ok, New facilities 500 acres or above.
 - l. By products – eggs, semen etc. We don't know enough about the disease (CWD).
 - m. Minimum of 30 days – leave lots of time “Biological time” for leaving disease behind.
 - n. If go with 500 acres or more, grandfather in everything, can keep it in perpetuity.
 - o. Grandfathering in hunting area size.
 - p. Cost in land 1.5 million for 500 acre
 - q. Compromise?
 - r. Where is compromise with deer breeders?
 - s. Need exit option. Buy out?
 - t. No buy out
 - u. Association said 4 farms
 - v. Number of farms in state 7 ?? Survey said 7 reported by officers in field.
 - w. Not right to put people out of business if started in good faith. Don't want to bankrupt people
 - x. Last Legislation offered option.

Break for Dinner

4. PUBLIC INPUT – 7:00 PM

- Jerry Denbo – Representative. Mr. Denbo asked the Council to be fair. He stated the Legislature did not intend to place hardship on anyone. He stated he did not want ANY grandfathering, then corrected himself and said Council MUST grandfather all existing facilities. If Council did not grandfather Mr. Denbo stated he was head of Administrative Oversight Committee and they would look at what the Council did. He stated he was not threatening the Council but this is an economic issue and he was emphatic in helping business out. Mr. Denbo stated there was a lot of money invested by these people. Mr. Denbo was asked if the Legislature had not agreed to stay out of the Council proceedings and give the committee a chance to work and that

they felt Mr. Denbo was trying to direct the Council now. Mr. Denbo replied he wanted to address fairness and if there was an existing facility the Council should let them exist. Mr. Denbo was asked if the Legislature was prepared to allocate funds for CWD and there was no direct response.

- Dave Marshall – Owned 80 acres fenced and has invested 2 million. Has been in business 4 years and has an Elk lodge, employees 20 people regularly and 50 in the summer.
- Wendy Marshall – Not about hunting but to use family farm. The farm has been in the family since 1812. Use farm and have restaurant, golf course. If lose hunting will lose overnight guests.
- Martin Reynolds – hunted all over the world. Last hunt on 100 acres with bow and got big buck. Will hunt morally ethically and will hunt preserves. Starting Rocky Mountain Elk Association locally. He hunts fair, legally.
- Tommy Hawkins - Unethical, not fair chase, gave hand out.
- Hayworth – Not fair for game-breeders to play Russian Roulette with disease. Putting wild deer at risk.
- Rick Davis – White Oak Ranch. Concerned with CWD. Wild animals threat to ranch herds too. Some come to harvest Big Buck, dome doe's. \$700,000 invested. It would be hard to disassemble over night . Wants compensation.
- Gary Shea – Hunter not Shootist. What right do we have to pen wild animals? Not wild, don't hunt.
- John Linton – hunter. It would be putting a burden on ranchers.
- Mark Ganote – We have domesticated cows, deer. Family farm since 1818. Started deer farm to make money. Trying to put small farmer out of business?
- Denis Boyles- Hunter. Does not choose deer farm but no objection.
- Ken McIntosh – Extension offices to help small business, follows laws,
- Mark Gregory – (did not hear comment)
- Paul Vice – Seymour ,CWD concern. No concrete incubation period. How farms could affect wild hers is manor concern. Size is big concern. Canned hunting is black eye, no fair chase. Should not be associated with work hunting its not. Cannot sell hunts with game-breeders license they are stretching the law and he has no sympathy because they new it.
- Allen Shepp – 3 Issues: 1) Deer farming (only problem CWD). 2) Shooting preserves – fair chase – 500 acre. 17 acre facilities not fair. Agreement to what is fair chase. 3) Public perception from preserves applies to regular hunters. 4) Heritage was food source change for sake of change is not good.
- Richard Crepp – Base best for Public. If called “Hunting” under DNR. Penned hunts are not fair chase. Council should do what is best for Public not 15-20 people. Risk is a part of business.
- Cliff Carley – owns property. Concerned about CWD. He raises Elk. If we are going to put people out of business he wants compensation.
- Gerald Cane – Hunter. The issue is that it comes down to the Almighty Dollar. Taking a risk with canned hunting. Decide acreage and no grand-fathering.

Tomorrow's Agenda

- Start at 8:30 AM
- Read over redrafted fencing, rehab, regulatory statement and approve. Do this last.
- Hunt behind fence. Do first, then. 1. Identification. 2. Penalties. 3. Economics
- Design of public meetings
- Stop at 4:00 PM

Comments by council members

- A. Cut Public Input down.
- B. Legislator's input is a disappointment to Council.
- C. Denbo didn't speak as member of public but as member of Legislature.
- D. Continue with our charge and ignore this situation
- E. Handful of people talking to Legislators to make changes.
- F. This Administrative Oversight Committee has and can make changes. No idle threat.
- G. Council has worked well together. Legislature override bothers the Council
- H. Legislature has stepped over the line. This is the Second incident in one week.
- I. Politics violates the Council
- J. We must persevere
- K. Council opposes Legislature coming here to attempt to influence the Council.
Chuck B. advise he would send a letter.

February 11, 2004 8:30 a.m.

Agenda Review- a quick review of tasks and schedules for today

- Complete discussion & finalize draft statements for
 - Hunting behind fences
 - Identification
 - Penalties
 - Economics
- Approval revised version of existing draft statements
- Public Input in Morning- only
- Plan for March's Public Meetings

Comments from Council Members

- Concerns that constituents may not agree to Council's draft statements.
- If sign off on Council's draft – ok to move forward.
- If not we could meet again.
- Should we have Subcommittee to make sure Council's "INTENT" is what is finalized?
- Final report from Council goes to Mr. Goss & Dr. Marsh
- Suggested that when draft goes to Rule making stage the whole council is involved.
- **It is the will of the Council that they stay involved in the process of rule writing until ready for voting process.**
- Legislative process is different.

- At what point is the Council going to publish draft proposals?
- Draft Issue statements will be posted as soon as Council approves them.

3.RESOLVING ISSUES - continued

The council continued to use straw man standards for discussion purposes.

Hunting Behind Fence

#3 Artificial Feeding

- a. Structure stands to where they do not resemble baiting
- b. Use regular agriculture practices (make suggestions)
- c. Can't put person within 50 ft. of feed in stand.
- d. Artificially manipulating deer with feed
- e. Remove bait within 10 days
- f. Animals will starve if not fed
- g. Population reductions use baiting with permit to control deer with archery equipment
- h. Feeding areas same as outside of pens
- i. Outside fence deer have options where they eat. In fence no options
- j. DNR Proposal: Grandfather in all existing Hunting facilities and no new hunting preserves. Meat farms ok

Hunting Behind Fence:

- Farms will have 1. Fence regulations and health control. 2. Can't control # of farms. 3. Can't control size of farms
- All those who think they want to get into Shooting preserves will get in BEFORE grand-fathering, resulting in growth in white-tailed farms. This is bad
- BOAH proposes – year round authorization for meat inspection at slaughterhouses.
- Any cervid raised in State can go to slaughter house because farmer wants out or too many does on farm
- Conflicting thought that slaughter at anytime was already decided. Half of council-yes, half no.
- Proposal to grandfather all properties that sold hunts in last year. –
- Comment will have many “start” up before legislature passes any laws.
- Can't assume we can't change what Legislature might do.
- Afraid many 40-acre places will start up.
- Legislature not in the habit of listening to us, the people.
- We trusted Legislature to stay out of process and that did not happen.
- Reality is sabotage behind the scenes.
- Had hope and faith
- Member did not work behind scenes. Feels good places will survive and bad ones will go out of business.
- Industry does not want 20-30 acre preserves either.
- Suggestion was made to start a New Issue.

The sportsmen contingent asked for time to meet privately to see if they could come up with some ideas. Below is their proposal.

Proposal regarding “Shooting Preserves”

- 1. New facilities 500 acres or greater**
- 2. Grandfather existing facilities as of January 2004, 100 acres or more**
- 3. Allow existing farms less than 100 acres 4 years to increase to 100 acres or exit.**
- 4. 40% escape cover**
- 5. Allow food plots but no feeders**
- 6. Introduce animals 20 days prior to season**
- 7. Existing seasons and regulations**
- 8. Remove feeders 10 days prior to season**
- 9. Stands 75 yards from fence**
- 10. No deer density limit**
- 11. Allow existing facilities slaughter as an exit strategy for a limited time**
- 12. Separate licenses for Shooting facilities and Farm facilities.**
- 13. NO interstate importation of cervids to shooting preserves or no pass thru from farm to shooting preserves until LIVE reliable CWD test.**

Comments on Sportsmen Proposal:

- Selling meat only as exit strategy for white-tailed hunting facilities
- Exit strategy only for shooting facility only white-tailed
- Have not discussed farming facilities
- It is ok to take other cervids to slaughter. There is no change in existing laws.
- Separate license for Deer farm from Shooting Facility
- Current white-tailed season centered around antlers, January season female will have fetal development. Antlers fall off.
- Pen raised bird season is Sept thru April
- View our proposals as a package. It is critically important to take to Mr. Goss a package that makes sense to us, not necessarily Legislature.
- Important that there is NO interstate movement until there is a live CWD test.
- There are still health issues
- Possible loop hole if we allow breeding farms to move interstate.

The industry members ask for time to meet privately to put together a proposal. Below is their proposal.

Industry proposal:

- 1. Size of new facility 200 acres**
- 2. 40% escape cover**
- 3. Stands 75 yards from fence**
- 4. Grandfather 100 acres or greater**
- 5. No hunting 100 yards from feeders**
- 6. New stock 20 days prior to hunt**
- 7. No deer density limit**
- 8. Separate license for shooting facility and farm facility**
- 9. Slaughter as exit strategy (conceptually)**
- 10. Hunter density/ 1 per 20 acres (max)**
- 11. No deer drives or dogs – except for recovery**

12. Deer must have ability to elude hunter on multiple occasions

Comments on Industry Proposal

- Proposal to get public comment on the two shooting proposals and draft statements
- Licenses sliding scale based on number of animals
- License for hunting thru DNR
- Game-breeders permit not apply to shooting facilities. Do something different.
- Change game-breeders permit. Industry would like to sell animal. Cannot do with present game-breeders permit.
- Industry wants shooting preserve permit to sell deer.
- Industry wants new license or permit to help fund
- Industry wants 3 tiers of licenses (permits, fees)
- Industry wants exit strategy in place for unlimited time.
- Comment that “multiple escape” is un-enforceable.

4. PUBLIC INPUT: Noon

- John Kevin – Non-hunting public perception not thrilled with penned hunting. Needs some oversight –minimal. Shared BOAH and DNR authority. We both need to promote our sides but he doesn’t care for penned hunting concept.
- Luke Fritz- Deer Farm – Thanks to Council. Still need Council support to finalize proposals. Owner of 120 acres. Started with pheasant birds. Added fence this year. If grand-fathered wants to be included.
- Richard Craft – Restrictions to animal transport unless CWD Free. The main focus is to protect hunting. Suggests no transportation at all. No shooting within 100 yards. Does not satisfy “no baiting” rules. Feeders furthest away from shoot area. No shooting over feeders.

3.RESOLVING ISSUES –continued

Before lunch the council approved the revised draft statements for Rehabilitation of White Tail Deer, Cervids as Pets, Regulatory Functions of DNR & BOAH and Cervid Fencing Regulations. These statements are now ready to be posted on the website and presented at the public meetings.

3.RESOLVING ISSUES –continued

Afternoon Session 2/11/04 1:00 PM

Continued discussion reference Industry proposal

- Doug M. does not agree with having 2 proposals at public input sessions. Need to have just 1 proposal
- Surprised at 40 acre proposal, this is known from previous proposal.
- Industry would need to show cause. Could not take 40-acre proposal to constituents.
- We should not be looking to make it easy.
- At 200 acres David D. has lost dream because of cost of land.

- What about DNR proposal to grandfather in all presently existing facilities but no new facilities.
- That would mean the end of expansion and ending shooting preserves over time.
- Sale of deer meat is not profitable
- What about the possibility of family to sell to family to allow the continuance of family farm shooting preserves.
- By and large meat market not as profitable with white-tailed deer.
- Suggested grandfathering and inheritable business.
- Brad T. knows of 2 - 80 acre places that should be allowed to exist.
- Conflicting information from Industry.
- Information changes on type of feed, for specific reasons. Size of herd dictates cost. Breeding stock cost vs Meat stock cost variance. Recover some cost to sell meat.
- There is a disparity of information from the Industry. Industry replies that yes there is disparity in types of farms and types of animals. Yes, information spans all over the board and is confusing.
- Some Council members feel the real agenda is to raise animals to sell for shooting preserves. The tactics all come down to money.
- Some Council members resent being accused of lies. What has been said is truth but maybe not all has been heard.
- Industry agrees it is all about money to save farms, have retirement, buy groceries. Everyone works for money. His dream, his retirement is the animals in the field.
- There is a suggestion to allow 80 acre facilities for grand-fathering
- 80 acres with time to increase acreage
- Another suggestion is to have 80 acre facility with no ability to inherit.
- Industry intends to have “farms” and “shooting preserves” and out of season hunts
- Do not like the change of “season” to “hunt”. They are not sure this is good without contacting Law Enforcement.
- All reasons and needs wanted by the Industry should be out on the table.
- Industry Council members to be up front and frank about what they want. Don’t play cat and mouse games, tell what you want up front and don’t hold back.
- Industry Council members want: **1) #14** Extended season from September 1st thru January 1st. -HUNTERS DO NOT AGREE. **2)#15** -To sell large bucks for more money, a structured rack size cost. HUNTERS DO NOT AGREE
- Different seasons were mentioned at the first council session. Industry is willing to talk about it.
- ***** Call Facilities “Trophy Shooting Preserves”**
- Came to this council opposing high fence hunting and feel as though they have come as far as possible. They think Industry can and would go to Legislature and use present compromises and use them as starting point to do get more changes.
- Other proposals are: #6 last stock “20 day” prior to first hunting
- #13 BOAH and DNR involved
- Want health reasons only for non-movement of cervids.
- BOAH – will adopt CWD test if federal USDA approves test.
- Deer Council members suggest NO intrastate importation to farms/shooting preserves.

- DNR has already suggested NO importation to BOAH – they did not adopt this suggestion. The DNR is willing to living with the current regulations.
- In 2002 BOAH put a ban on importation of cervids. In July of 2003 BOAH adopted a rule that would allow importation if the animal is from a CWD free herd that has been CWD free for 5 years by other state.
- Believes any animal that goes to “end” facility is less likely to spread disease than long-term facility where risk of spread disease is greater.
- It was commented that the council should do what is best for our children and grandchildren.
- “Should not limit ban of importation to just shooting facilities”
- If suggesting to ban importation on Elk, Frank is opposed.
- A member of the Council is not comfortable going past what we have on paper. Thinks might be able to sell to constituents what is presently written and agreed upon.
- Several council members feel there are no more cards to play and they have gone as far as possible and cannot go further.
- Will go with DNR and BOAH
- Hope BOAH would recognize that they may need to modify according to Science and not just Political pressure.
- BOAH goes to a lot of trouble to understand science. BOAH has never banned carte blanche the import of animals until CWD and did so.
- Suggestion – to be eligible to have license for Shooting Preserve you must be eligible for Indiana Hunting license.
- Question: Indiana License or out of State license?? Or home State?

Below (in bold) are points the council agreed upon:

- **# 4 -100 acres to grand-father**
- **#12 – Agree in principle but need to see fine print.**
- **#10 – Hunter density 1 hunter per 20 acres per day**
- **#11 – In addition to current Rules BOAH needs to amend to Statute “no interstate movement of deer to premise that is a Trophy Shooting Preserve, additionally cannot be drop shipped to farming facility”**
- One member is not sure he likes “Trophy” shooting preserve
- DNR will write language for “shooting preserve cannot import animal ...”

WHAT NEXT:

- Meet March 8th in Indianapolis at 9:00 AM at BOAH offices.
- Need to discuss:
 - Hunting Behind Fence
 - Penalties
 - Identification
 - Economics
- Change public input dates, agreed on by Council
- Put proposals on web site
- March 19th Vincennes, March 20th Seymour – Public input session
- April 2nd Fort Wayne , April 3rd Lafayette – Public input session